

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE _____
[Exemption to Charter Section 803]

Background and Existing Law

The City of Huntington Beach City Council is submitting Measure _____ to the voters for consideration. In general, Huntington Beach City Charter Section 803 currently prohibits, with certain exceptions, the City from enacting or enforcing any measure which mandates the price or other consideration payable to the owner in connection with the sale, lease, rent, exchange or other transfer by the owner of real property.

Ballot Measure

This ballot measure proposes to add Section 803 (c) (7) to Article VIII of the Huntington Beach Charter, which would provide an exemption for regulation of real property in mobile/manufactured home parks, retroactive to July 21, 2014.

Effect of this Ballot Measure

If adopted, in general, Measure _____ would provide a new exemption to this prohibition on enacting or enforcing any measure which mandates the price or other consideration payable to the owner in connection with the sale, lease, rent, exchange or other transfer by the owner of real property. The new exemption would permit, but not require, the City to enact or enforce regulations regarding real property in mobile/manufactured home parks, retroactive to July 21, 2014. For example, Section 803 currently prohibits the City from regulating the price a property owner may charge to sell, lease or rent or otherwise transfer real property interest. If adopted, this measure would permit, but not require, the City to adopt laws or regulations concerning the price for sale, lease or rent charged by a real property owner in a mobile/manufactured home park. Any new laws or regulations adopted by the City would have to comply with Federal and State law.

A "yes" vote on this measure would add the mobile/manufactured home park exception to City Charter Section 803. A "no" vote on this measure would leave Section 803 in place as it currently exists.

Cost of this Ballot Measure

The adoption of this measure could impact the cost of City services related to the enforcement of future regulations; however the City can not accurately project such costs.

THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF MEASURE _____.
IF YOU WOULD LIKE A COPY OF MEASURE _____ OR THE PROPOSED
CHARTER AMENDMENT, PLEASE CONTACT THE CITY OF HUNTINGTON
BEACH CITY CLERK'S OFFICE AT (714) 536-5227 AND A COPY WILL BE
MAILED TO YOU AT NO COST, OR IT IS AVAILABLE ONLINE AT
www.huntingtonbeachca.gov

Pursuant to Government Code Section 34458.5, the following ballot description is provided: This Charter Amendment would add a new exemption to Section 803 of the City Charter to permit, but not require, the City to enact or enforce regulations regarding real property in mobile/manufactured home parks, retroactive to July 21, 2014. This amendment does not give the City Council any new enumerated power including to raise its compensation or that of other City officials without voter approval.

Dated: August 7, 2014

Jennifer McGrath
City Attorney